

Application Serial No. 10/607,275
Amendment dated December 23, 2004
Reply to Office action of September 27, 2004

REMARKS

Claims 1 through 22 are pending in this application. This amendment is believed to place the application in condition for allowance. Entry of this amendment is therefore respectfully requested. Reconsideration is requested based on the foregoing amendment and the following remarks.

Objections to the Drawings:

Figs. 5 and 6 were objected to for lacking a legend such as "Prior Art." The legend "Background Art", which appears at page 2, line 13 of the specification, has been applied to Figs. 5 and 6. No new matter has been added. Withdrawal of the objections to the drawings is earnestly solicited.

Claim Rejections - 35 U.S.C. § 102:

Claims 14 through 20 were rejected under 35 U.S.C. § 102(b) as being anticipated by Rofles, US 3,985,394. The rejection is traversed. Reconsideration is earnestly solicited.

Claim 14 recites:

"said hydraulic circuit being configured to permit flow through said hydraulic circuit concurrently both a) to-or-from said first outlet ports and b) to-or-from said second outlet ports."

Rofles neither teaches, discloses, nor suggests a hydraulic circuit being configured to permit flow through the hydraulic circuit *concurrently* both a) to-or-from first outlet ports and b) to-or-from second outlet ports, as recited in claim 14. Valve package 72 is a valve package, as described at column 4, lines 30 and 31, not a hydraulic circuit, contrary to the assertion in the Office action. In Rofles, rather, *each* pair of outlet lines 94, 96, and 98 running through one of hydraulic cylinders 40, 42, and 48 comprises a *separate* hydraulic circuit with each one of control valves 100, 102, or 104. Thus, in Rofles, each of control valves 100, 102, and 104 respectively control the flow of fluid between the inlet lines and *one* pair of outlet lines, as described at column 5, lines 4-6. Since each of control valves 100, 102, and 104 respectively controls the flow of fluid between the inlet lines and one pair of outlet lines, there is no way to permit flow through the hydraulic circuit *concurrently* both a) to-or-from first outlet ports *and* b) to-or-from second outlet ports, as recited in claim 14. Claim 14 is submitted to be allowable. Withdrawal of the rejection of claim 14 is earnestly solicited.

Claims 15, 16, and 17 depend from claim 14 and add additional distinguishing elements.

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Claims 15, 16, and 17 are thus also submitted to be allowable. Withdrawal of the rejection of claims 15, 16, and 17 is earnestly solicited.

Claim 18 recites:

- "b) supplying hydraulic fluid fed into said feed port in a direction along a first circulation path through said hydraulic circuit to cause a first hydraulic drive to operate a power function of said utility mechanism;
- c) supplying hydraulic fluid fed into said feed port in a direction along a second circulation path through said hydraulic circuit to cause a second hydraulic drive to operate a position function of said utility mechanism; and
- d) concurrently performing said steps b) and c) while said utility vehicle is driven."

Rofles neither teaches, discloses, nor suggests a hydraulic circuit being configured to permit flow through the hydraulic circuit *concurrently* to cause a first hydraulic drive to operate a power function of said utility mechanism and to cause a second hydraulic drive to operate a position function of said utility mechanism, as recited in claim 18. Valve package 72 is a valve package, as described at column 4, lines 30 and 31, not a hydraulic circuit, contrary to the assertion in the Office action. In Rofles, rather, *each* pair of outlet lines 94, 96, and 98 running through one of hydraulic cylinders 40, 42, and 48 comprises a *separate* hydraulic circuit with each one of control valves 100, 102, or 104, as discussed above. Thus, in Rofles, each of control valves 100, 102, and 104 respectively control the flow of fluid between the inlet lines and *one* pair of outlet lines, as described at column 5, lines 4-6. Since each of control valves 100, 102, and 104 respectively controls the flow of fluid between the inlet lines and one pair of outlet lines, there is no way to permit flow through the hydraulic circuit concurrently to cause a first hydraulic drive to operate a power function of said utility mechanism and to cause a second hydraulic drive to operate a position function of said utility mechanism, as recited in claim 18. Claim 18 is submitted to be allowable. Withdrawal of the rejection of claim 14 is earnestly solicited.

Claims 19, 20, and 21 depend from claim 18 and add additional distinguishing elements. Claims 19, 20, and 21 are thus also submitted to be allowable. Withdrawal of the rejection of claims 19, 20, and 21 is earnestly solicited.

Allowable Subject Matter:

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The Applicant appreciates the allowance of claims 1 through 13, and the indication that claims 21 and 22 contain allowable subject matter.

Conclusion:

Accordingly, in view of the reasons given above, it is submitted that all claims 1 through 22 are allowable over the cited references. Allowance of all claims 1 through 22 and of this entire application are therefore respectfully requested.

Respectfully submitted,

By



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Attachments
1994-284-amd

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Amendments to the Drawings:

The attached sheets of drawings include changes to Figs. 5 and 6. These Figs. 5 and 6 replace the original Figs. 5 and 6. The legend "Background Art", which appears at page 2, line 13 of the specification, has been applied to Figs. 5 and 6. No new matter has been added.

Attachment: Replacement sheet (1)
Annotated sheets showing drawing change (1)

Annotated Sheet



FIG. 6
 Background Art

Added

FIG. 5
 Background Art

